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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**In Re Application of:**

David B. Weiner, William J. Williams and  
Bin Wang

**Serial No.:** 09/359,975

**Group No.:** 1636

**Filing Date:** July 23, 1999

**Examiner:** W. Sandals

**For: COMPOSITIONS AND METHODS FOR DELIVERY OF GENETIC  
MATERIAL**

DATE OF DEPOSIT: August 23, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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Ellen M. Klann  
TYPED NAME: Ellen M. Klann  
REGISTRATION NO.: 44,836

**BOX AF**

Assistant Commissioner for Patents  
Washington DC 20231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

08/29/2001 CNGUYEN 00000017 09359975

01 FC:119  
02 FC:117

310.00 OP  
890.00 OP

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **February 26, 2001** finally rejecting claims **58, 59, 63, 64, 67-72, 75, 76, 84-86, 94-96, and 115-147** of the above-identified patent application.

The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37

CFR §1.27 as:

- ☐ an Independent Inventor
- ☐ a Small Business Concern
- ☐ a Nonprofit Organization

**2. EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- ☒ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(4)) for the total number of months checked below:

	SMALL ENTITY		NOT SMALL ENTITY	
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$195	\$	\$390	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$445	\$	\$890	\$890.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$695	\$	\$1390	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$945	\$	\$1890	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$ )	minus	(\$ )
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$155	\$	\$310	\$310.00
TOTAL FEE DUE				1,200.00

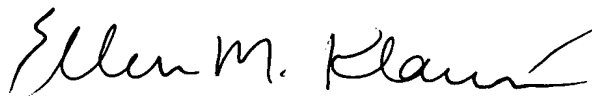
**3. FEE PAYMENT**

- ☒ A check in the amount of \$ 1,200.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$\_\_. A duplicate of this transmittal is attached.



The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

Date: August 23, 2001



**Ellen M. Klann**

Registration No. 44,836

Woodcock Washburn Kurtz  
Mackiewicz & Norris LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439